

(W.D.N.C. August 2, 2012) (citing Gisbrecht v. Barnhart, 535 U.S. 789 (2002) and Mudd v. Barnhart, 418 F.3d 424 (4th Cir. 2005)).

In response, Defendant “neither supports nor opposes Plaintiff’s counsel’s request for fees under 42 U.S.C. § 406(b).” (Document No. 25). Defendant’s response gives no indication of whether the Commissioner views the fee request as reasonable, and as such, is not particularly helpful.

Under the circumstances of this case, the undersigned is satisfied that Plaintiff’s request for fees is reasonable and consistent with applicable authority.

IT IS, THEREFORE, ORDERED that “Plaintiff’s “Motion For Approval Of Attorney’s Fees Under 42 U.S.C.A. § 406(b)” (Document No. 23) is **GRANTED**. The Commissioner of Social Security shall pay to Plaintiff’s counsel, Angela R. Cinski, the sum of **\$8,974.74**.

IT IS FURTHER ORDERED that upon receipt of the requested fee, Plaintiff’s counsel shall refund to Plaintiff the EAJA fee of **\$4,686.00**.

SO ORDERED.

Signed: November 2, 2022



David C. Keesler
United States Magistrate Judge

